

22 NOV 1957

The Gazette of India



EXTRAORDINARY PART II—Section 3 PUBLISHED BY AUTHORITY

No 533] NEW, DELHI, MONDAY, NOVEMBER 18, 1957/KARTIKA 27, 1879

MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

ORDER

New Delhi, the 18th November 1957

S.R.O. 3686.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. **Short title, extent and commencement.**—(i) This Order may be called the Bombay Wheat (Sale Control) Order, 1957.

(ii) It extends to Greater Bombay as defined in the Bombay General Clauses Act, 1904 (Bombay Act 1 of 1904).

(iii) It shall come into force at once.

2. **Definitions.**—In this Order, unless the context otherwise requires,—

(a) “approved dealer” means a dealer approved by the State Government for running a fair price shop at which wheat is sold in retail quantities;

(b) “dealer” means a person carrying on, either personally or through any other person the business of selling or purchasing wheat;

(c) “sale in retail quantities” in relation to wheat means sale of wheat in such quantities as the State Government may by notification in *Official Gazette* specify;

(d) “wheat” does not include products thereof;

(e) “State Government” means the Government of the State of Bombay.

3. **Restriction on sale of wheat.**—(1) Subject to the provisions of sub-clause (2), no person shall, after the expiry of fifteen days from the commencement of this Order, engage in the business of selling or store for sale wheat.

(2) An approved dealer may sell or store for sale in retail quantities wheat if such wheat is supplied to him by or on behalf of the State Government:

Provided that nothing contained in this clause shall apply to sale of wheat—

(i) by mills, factories, hospitals and such other institutions as are authorised by the State Government in this behalf,

- (ii) on Government account, or
- (iii) under and in accordance with Military Credit Notes.

4. **Powers of entry, search, seizure, etc.**—Any Police Officer not below the rank of a Head Constable or any other person authorised in this behalf by the State Government may, with a view to securing compliance with the provisions of this Order or to satisfying himself that the provisions of this Order have been complied with,—

- (i) stop and search or authorise any person to stop and search, any person, boat, motor or any vehicle or receptacle used or capable of being used for movement of wheat for sale;
- (ii) enter and search and authorise any person to enter and search any place;
- (iii) seize or authorise the seizure of any article in respect of which he suspects that any provision of this Order has been, is being or is about to be contravened along with the packages, coverings or receptacles in which wheat is found or the animals, vehicles, vessels or conveyances used in carrying wheat and thereafter take or authorise the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels or conveyances so seized in a court and for their safe custody pending such production:

Provided that in exercising the powers of entry under this clause, due regard shall be paid by such officer to the social and religious customs of the occupant of the premises:

Provided further that if any such premises be found locked up or unoccupied or unattended by or on behalf of the owner or occupier, the same may, in the presence of two witnesses be broken open and entered upon for all or any of the aforesaid purposes.

[No. 204 (9)/B/57-PY.II.]

C. A. RAMAKRISHNAN, Jt. Secy.